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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 JOSEPH MICHAEL DONNETTE-  
11 SHERMAN,

12 Plaintiff,

13 v.

14 STATE OF WASHINGTON,

15 Defendant.

CASE NO. 3:17-CV-05600-BHS-DWC

ORDER VACTING REPORT AND  
RECOMMENDATION

16 The District Court referred this 42 U.S.C. § 1983 action to United States Magistrate  
17 Judge David W. Christel. Plaintiff Joseph Michael Donnette-Sherman, proceeding *pro se*, initiated  
18 this civil rights action on July 28, 2017. *See* Dkt. 1.

19 Plaintiff was instructed to amend his Complaint on or before September 11, 2017. Dkt. 3.  
20 Plaintiff did not file an amended complaint and, on September 22, 2017, the undersigned entered  
21 a Report and Recommendation (“R&R”) recommending Plaintiff’s case be dismissed for failure  
22 to file an amended complaint. *See* Dkt. 4. On September 27, 2017, Plaintiff called the Clerk’s  
23 Office and notified a Court clerk that he had not received any mailings. *See* Docket. Plaintiff also  
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1 paid the filing fee on October 10, 2017. *See* Docket. As Plaintiff did not receive any of the  
2 Court's filings and has now paid the filing fee, the undersigned vacates the R&R (Dkt. 4).

3 The Court reminds Plaintiff he is responsible for serving this Complaint pursuant to the  
4 Federal Rules of Civil Procedure.

5 Dated this 13th day of October, 2017.

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8 David W. Christel  
9 United States Magistrate Judge  
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